

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

ROBERTA PYRETT,)	Case No. 3:18 CV 2298
)	
Plaintiff,)	JUDGE JACK ZOUHARY
)	
v.)	<u>WHIRLPOOL CORPORATION'S</u>
)	<u>INITIAL DISCLOSURES</u>
WHIRLPOOL CORPORATION,)	
)	
Defendant.)	
)	

Defendant Whirlpool Corporation makes the following initial disclosures pursuant to Rule 26. The Defendant's investigation of this matter is ongoing and the Defendant reserves the right to supplement these disclosures as new information becomes available.

I. Potential Witnesses

The following individuals may have discoverable information supporting the defenses of Whirlpool Corporation:

- Roberta Pyrett and the next-of-kin of Stephen Pyrett;
- Logan Clemens, an employee of Whirlpool Corporation;
- Joseph Hopple, an employee of Whirlpool Corporation;
- Brendan Coughlan, a former employee of Whirlpool Corporation;
- Michael Lincoln, an employee of Terex Corporation;
- Roy Kitchen, an employee of Terex Corporation;
- Ken Brown, an employee of Terex Corporation;
- John Paxton, an employee of Terex Corporation; and
- Michael Wheeler, an employee of the Marion County Sheriff's Department.

This Defendant believes that all of the above individuals with the exception of the family members of the Decedent may have information specifically about the accident of September 16, 2016. The Terex employees may have information concerning the prior work that was performed by Terex and specifically, by Stephen Pyrett, at the Whirlpool facility, and information concerning the safety training of Mr. Pyrett and other Tyrex employees who worked at the Whirlpool facility.

II. Documents

Whirlpool Corporation is gathering documents that are required to be voluntarily disclosed. At the present time, Whirlpool believes that the following documents, if they exist, will be provided or available in the public domain:

- Work orders or contracts between Whirlpool and Terex for the work being performed on September 16, 2016 and prior dates;
- The OSHA investigative file for the claim involving Whirlpool Corporation (based on the Plaintiff's disclosures, it appears that Plaintiff already has this file.)
- The OSHA investigative file for the claim against Terex (this file is a matter of public record);
- Safety training manuals and other documents used by Terex to train its employees, including Mr. Pyrett; and
- Drawings of the crane at issue that may be provided to expert witnesses, if any.

Respectfully submitted,

s/ Gerald R. Kowalski

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was filed electronically this 14th day of January, 2019. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

s/ Gerald R. Kowalski

Gerald R. Kowalski

Counsel for Whirlpool Corporation